

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

YONG HUI NICHOLS,

Plaintiff(s),

CASE NO. 3:10-cv-301

-vs-

District Judge Timothy S. Black
Magistrate Judge Sharon L. Ovington

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED: that the Report and Recommendations (Doc. 17) is **ADOPTED** in full; the Commissioner's final decision is **AFFIRMED IN PART** to the extent the Administrative Law Judge determined that Plaintiff was under a "disability" as defined by the Social Security Act beginning on May 8, 2009; the Commissioner's final decision that Plaintiff was not under a "disability" as defined by the Social Security Act is **REVERSED IN REMAINING PART**, and this matter is **REMANDED** to the Social Security Administration under Sentence Four of 42 U.S.C. §405(g) for payment of benefits to Plaintiff consistent with this Decision and Entry, the Report and Recommendations, and the Social Security Act; and this case is **TERMINATED** on the docket of this Court.

Date: August 11, 2011

JAMES BONINI, CLERK

By: s/ M. Rogers
Deputy Clerk